

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BARRY LINTON,

Plaintiff

v.

NEW YORK LIFE INSURANCE AND ANNUITY  
CORPORATION,

Defendant.

2004 JUL -2 P 5:35

C.A. No. 04-11362-RWZ

**JOINT STIPULATION TO EXTEND TIME FOR  
DEFENDANT TO RESPOND TO COMPLAINT**

The Plaintiff Barry Linton ("Linton") and the Defendant New York Life Insurance and Annuity Corporation ("New York Life"), hereby stipulate and agree that the Defendant's time to plead, move, or otherwise respond to the Plaintiff's Complaint shall be extended to and including July 23, 2004. This is the parties' first request for an extension of time.

BARRY LINTON

NEW YORK LIFE INSURANCE  
AND ANNUITY CORPORATION.

By his attorneys,

By its attorneys,

P. Andy Henderson, Jr. / LW

Richard J. Grahn (BBO #206620)  
P. Andy Henderson, Jr. (BBO #655891)  
Looney & Grossman LLP  
101 Arch Street  
Boston, MA 02110  
(617) 951-2800

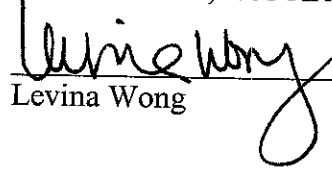
Levina Wong

John D. Donovan, Jr. (BBO # 130950)  
Robert G. Jones (BBO #630767)  
Levina Wong (BBO #654510)  
Ropes & Gray LLP  
One International Place  
Boston, MA 02110  
(617) 951-7000

Dated: July 2, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that on July 2, 2004, I served a copy of the parties' Joint Stipulation to Extend Time for Defendants to Respond to Complaint, by hand, upon P. Andy Henderson, Jr., Looney & Grossman LLP, 101 Arch Street, Boston, MA 02110, counsel for Plaintiff.

  
\_\_\_\_\_  
Levina Wong

DISTRICT COURT  
DISTRICT OF MASS.

UNITED STATES DISTRICT COURT  
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Plaintiff

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2004 JUL -2 P 5: 35

FILED  
CLERK'S OFFICE

C.A. No. 04-11362-RWZ

FILED IN CLERKS OFFICE  
US COURT OF APPEALS  
FOR THE FIRST CIRCUIT

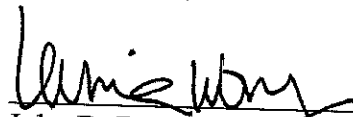
2004 JUL -8 A 11: 15

**NOTICE OF APPEARANCE**

Please enter the appearance of Levina Wong of the firm Ropes & Gray LLP on behalf of the Defendant New York Life Insurance and Annuity Corporation.

NEW YORK LIFE INSURANCE AND  
ANNUITY CORPORATION

By its attorneys,



John D. Donovan, Jr. (BBO # 130950)

Robert G. Jones (BBO # 030767)

Levina Wong (BBO # 654510)

Ropes & Gray LLP

One International Place

Boston, MA 02110

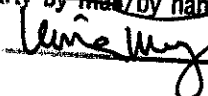
(617) 951-7000

Dated: July 2, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that on this day a true copy of the above document was served upon the attorney of record for each party by mail/by hand

Date: 07/02/04





ROPES & GRAY LLP

ONE INTERNATIONAL PLACE

BOSTON, MA 02110-2624

617-951-7903

F-417-951-7903

BOSTON

NEW YORK

SAN FRANCISCO

WASHINGTON, DC

2004 JUL -2 10:35

July 2, 2004

Levina Wong

(617) 951-7903

lwong@ropesgray.com

**BY HAND**

Office of the Clerk  
United States Court of Appeals  
First Judicial Circuit  
U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

Re: *Barry Linton v. New York Life Insurance and Annuity Corporation*  
Civil Action No. 04-11362(RWZ)

Dear Sir/Madam:

Enclosed for filing in the above-referenced matter please find:

1. Notice of Appearance of Levina Wong for the Defendant New York Life Insurance and Annuity Corporation.
2. Joint Stipulation to Extend Time for Defendant to Respond to Complaint.

Please date-stamp the enclosed copy of this letter and return it to the messenger. Thank you for your assistance with this matter. If you have any questions please do not hesitate to call me.

Sincerely,

Levina Wong

Enclosures

cc: P. Andy Henderson, Esq.